

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BETTY ANNE WATERS, as )  
Administratrix of the Estate of )  
KENNETH WATERS, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TOWN OF AYER, et al., )  
 )  
Defendants. )

CIVIL ACTION  
NO. 04-10521-GAO

**ORDER ON PLAINTIFF'S MOTION TO  
ENLARGE DISCOVERY LIMITS AND TO COMPEL  
AND ON THIRD PARTY'S MOTION TO QUASH**

This matter is presently before the court on “Plaintiff Betty Anne Waters’ Motion to Enlarge Discovery Limits on Depositions and Requests for Admission and Compel Responses to Her Amended Second Set of Requests for Production and Production of Insurance Documentation” (Docket No. 70) and on third-party “Patrick Keane’s Motion to Quash Keeper of Records Subpoena” (Docket No. 71). After reviewing the parties’ submissions and considering their oral arguments, this court hereby ORDERS as follows:

1. Mr. Keane's motion to quash is DENIED. Mr. Keane shall produce his address to counsel for the plaintiff by **March 21, 2007**. As agreed by the plaintiff, upon receipt of Mr. Keane's address, the plaintiff shall withdraw the Keeper of Records subpoena that was served on the Massachusetts State Retirement Board.

2. The plaintiff's motion to enlarge discovery limits and to compel is ALLOWED IN PART and DENIED IN PART as follows:

- a. The plaintiff may conduct the depositions of Officer McDonald, State Trooper Keane, Judge Rooney, Officer Baliunas and, subject to a competency determination, Chief Adamson.
- b. The plaintiff may complete the deposition of Officer Taylor, but her direct testimony may not exceed a total of ten hours.
- c. The plaintiff may take the deposition of the State Police pursuant to Fed. R. Civ. P. 30(b)(6). However, if the deposition will require the State Police to produce more than two witnesses, the State Police may move for a protective order.
- d. The motion to allow service of additional requests for admissions is DENIED without prejudice to filing another motion at a later date if there are disputes regarding documents that the parties are unable to resolve.
- e. The motion to compel responses to document requests and to compel the production of additional insurance documents is DENIED.

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/ s / Judith Gail Dein  
Judith Gail Dein  
United States Magistrate Judge

DATED: March 19, 2007